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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			LUDWIG, MATTHEW J	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/014,773

Applicant(s)

KONTTINEN, HANNU

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment received 9/28/2007.
2. Claims 1-15 are pending in the application. Claims 1, 7, 14, and 15 are independent claims. Applicant added new independent claim 15.
3. Claims 1-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette in view of Warnock have been withdrawn pursuant to applicant's amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Bentley et al., USPN 7,159,172 filed (11/8/200).

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In reference to independent claim 1, Bentley teaches:

An apparatus comprising a memory for storing data representing text to be viewed, and a display controller for generating an image to be displayed and for controlling the display device. The text stored may be in the form of image data directly representing an image or text data for processing by the display controller to generate an image (compare to “*preprocessing the pages in order to display the text portion in them*”). See column 2, lines 62-67 and column 3, lines 1-10.

Figure 5 illustrates both a navigation pane and a read pane. The navigation pane provides a user with an overall view of the document being viewed in the read pane. The user has navigation control within the overall view of the document and has access to different parts of the document. The read pane provides the RSVP presentation at a rate adjustable by the user (compare to “*dividing the display into a navigation pane and a read pane*”). See column 3, lines 8-45 and column 4, lines 13-33.

The thumbnail view found in the display provides an overall view of the text data being read through the read pane (compare to “*placing an overall view of at least one decoded page to the navigation pane*”). See column 5, lines 13-45 and figure 5.

The text information stored within the memory may, for example be in the form of image data directly representing an image to be viewed, or it may be in the form of text data for processing the display controller. The apparatus also includes an input device enabling a user to input control information for controlling the apparatus and in particular the display controller. The input device may be used to control the reading rate, start and stop control. The user controls the sequence of words presented and the device stores the information. The reference fails to

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explicitly state 'language specific rules of syntax' however the phrase 'specific rules of syntax' is being interpreted as an ordered arrangement of text elements specified by the user. Therefore, the reference of Bentley includes the stored control information related to the sequence of words and provides a similar function of 'language specific rules of syntax' for reading text straightforward and at a desired rate designated by the user of the device.

If the sequence of text is provided to a user sequentially and is based upon control information selected by the user then the reference suggests the sequential processing based upon a start element (beginning of single word or sequence of words) and end element (end of single word or sequence of words).

By clicking at, or moving a cursor to, a desired location in the thumbnail view, the display controller can be controlled to start the RSVP presentation from that location in the document text (compare to *"selecting a first text portion between the start element and end element as the reading portion and placing the selected portion on the read pane"*). See column 4, lines 15-34.

The device allows a user to choose different areas of the text for placement into the read pane and does not talk about limiting a user to the amount of time the process could be repeated (compare to *"further processing connected portions of the selected text for a new start element and a new end element and selecting the text portion between..."*). See column 4, lines 1-67. Furthermore, the reference discloses an input device used to control the reading rate, start and stop controls for starting and stopping the presentation, and navigation controls for enabling the user to locate text desired to be read. The input device is not shown but may comprise one or more buttons or keys. The reference fails to explicitly state the shift key for selecting text to read

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however, keyboards are known to have shift keys for performing various functions. Therefore, the shift keys taught by Bentley promote navigation throughout the text for rapidly moving through a document.

In reference to dependent claim 2, Bentley teaches:

The scale of the thumbnail view may be such that the text is not, in fact, legible in the thumbnail view, the location of text being indicated by dots, lines, or other marks or shading which roughly approximate word pattern in the page or section of text. See column 1, lines 60-67 and column 2, lines 1-5.

In reference to dependent claim 3, Bentley teaches:

The scale of the thumbnail view may be such that the text is not, in fact, legible in the thumbnail view, the location of text being indicated by dots, lines, or other marks or shading which roughly approximate word pattern in the page or section of text. See column 1, lines 60-67 and column 2, lines 1-5.

In reference to dependent claim 4, Bentley teaches:

The device allows a user to choose different areas of the text for placement into the read pane and does not talk about limiting a user to the amount of time the process could be repeated. See column 4, lines 1-67. Furthermore, the reference discloses an input device used to control the reading rate, start and stop controls for starting and stopping the presentation, and navigation controls for enabling the user to locate text desired to be read. The input device is not shown by may comprise one or more buttons or keys. The reference fails to explicitly state the shift key for selecting text to read however, keyboards are known to have shift keys for performing various

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functions. Therefore, the shift keys taught by Bentley promote navigation throughout the text for rapidly moving through a document.

In reference to dependent claim 5, Bentley teaches:

If the sequence of text is provided to a user sequentially and is based upon control information selected by the user then the reference suggests the sequential processing based upon a start element (beginning of single word or sequence of words) and end element (end of single word or sequence of words).

By clicking at, or moving a cursor to, a desired location in the thumbnail view, the display controller can be controlled to start the RSVP presentation from that location in the document text. See column 4, lines 15-34.

In reference to dependent claim 6, Bentley teaches:

The device allows a user to choose different areas of the text for placement into the read pane and does not talk about limiting a user to the amount of time the process could be repeated. Furthermore, the reference discloses an input device used to control the reading rate, start and stop controls for starting and stopping the presentation, and navigation controls for enabling the user to locate text desired to be read. The input device is not shown but may comprise one or more buttons or keys. See column 4, lines 1-67.

In reference to independent claim 7, the limitations reflect similar language for reading text as could be found in independent claim 1. Therefore, the claim is rejected under similar rationale.

In reference to dependent claim 8, Bentley teaches:

The device allows a user to choose different areas of the text for placement into the read pane and does not talk about limiting a user to the amount of time the process could be repeated.

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See column 4, lines 1-67. Furthermore, the reference discloses an input device used to control the reading rate, start and stop controls for starting and stopping the presentation, and navigation controls for enabling the user to locate text desired to be read. The input device is not shown by may comprise one or more buttons or keys.

In reference to dependent claim 9, Bentley teaches:

Figure 5 illustrates both a navigation pane and a read pane. The navigation pane provides a user with an overall view of the document being viewed in the read pane. The user has navigation control within the overall view of the document and has access to different parts of the document. The read pane provides the RSVP presentation at a rate adjustable by the user.

See column 3, lines 8-45 and column 4, lines 13-33.

In reference to dependent claim 10, Bentley teaches:

A thumbnail view is provided in such a manner as to provide context information for the word sequence displayed in an RSVP display. However, the provision of the thumbnail can additionally be used to provide navigation control for the user. By clicking at, or moving a cursor to, a desired location in the thumbnail view, the display controller can be controlled to start the RSVP presentation from that location in the document text. See column 4, lines 15-34.

In reference to dependent claim 11, Bentley teaches:

The input device may be used to control, the reading rate, start and stop controls for starting and stopping the presentation, and navigation controls for enabling the user to locate text desired to be read. See column 3, lines 1-10.

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In reference to dependent claim 12, Bentley teaches:

The text information stored within the memory may, for example be in the form of image data directly representing an image to be viewed, or it may be in the form of text data for processing the display controller. The apparatus also includes an input device enabling a user to input control information for controlling the apparatus and in particular the display controller. The input device may be used to control the reading rate, start and stop control. The user controls the sequence of words presented and the device stores the information. The reference fails to explicitly state 'language specific rules of syntax' however the phrase 'specific rules of syntax' is being interpreted as an ordered arrangement of text elements specified by the user. Therefore, the reference of Bentley includes the stored control information related to the sequence of words and provides a similar function of 'language specific rules of syntax' for reading text straightforward and at a desired rate designated by the user of the device.

In reference to dependent claim 13, Bentley teaches:

The display controller also generates a movable cursor within the thumbnail view at a position to indicate the location of the word currently displayed in the RSVP region. As the sequence of the words presented in the RSVP advances, the cursor is moved to show the approximate location of each word. See column 4, lines 1-13.

In reference to independent claim 14, Bentley teaches:

This technique also uses very little screen space and has been suggested as a display technique for small portable displays (compare to "a mobile communication device comprising a display, keyboard, and means for receiving..."). See column 1, lines 14-36.

The limitations throughout the independent claim recite similar language to the steps for carrying out text reading within independent claim 1. Therefore, the claims are rejected under similar rationale.

In reference to independent claim 15, Bentley teaches:

The limitations throughout the independent claim recite similar language to the steps for carrying out text reading within independent claim 1. Therefore, the claims are rejected under similar rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Applicant added newly formed claim language into the independent claims thus changing the scope of the invention when the claims are read as a whole. More specifically, claims now state 'sequentially' processing text. Also, a first text portion and a second text portion have been designated in the claim and provided to separate one process from the other. As presently claimed, the newly formed language changes the scope of the claim and thus required the Examiner to perform another search and withdraw the prior art rejection. A new reference has been added to reject the claims based upon the amendments to the claims.

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Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML



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